



## DEPARTMENT OF THE INTERIOR

### National Park Service

[NPS-WASO-NAGPRA-NPS0034192; PPWOCRADN0-PCU00RP14.R50000]

### Notice of Intent to Repatriate Cultural Items: Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice.

**SUMMARY:** The Peabody Museum of Archaeology and Ethnology, Harvard University, in consultation with the appropriate Indian Tribes or Native Hawaiian organizations, has determined that the cultural items listed in this notice meet the definition of unassociated funerary objects. Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request to the Peabody Museum of Archaeology and Ethnology. If no additional claimants come forward, transfer of control of the cultural items to the lineal descendants, Indian Tribes, or Native Hawaiian organizations stated in this notice may proceed.

**DATES:** Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to the Peabody Museum of Archaeology and Ethnology at the address in this notice by **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** Patricia Capone, Curator and NAGPRA Director, Peabody Museum of Archaeology and Ethnology, 11 Divinity Avenue, Cambridge, MA 02138, telephone (617) 496-3702, email [pcapone@fas.harvard.edu](mailto:pcapone@fas.harvard.edu).

**SUPPLEMENTARY INFORMATION:** Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items under the control of the Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA, that meet the definition of unassociated

funerary objects under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American cultural items. The National Park Service is not responsible for the determinations in this notice.

### **History and description of the cultural items**

In 1903, 17 unassociated funerary objects were removed from Erie County, NY, during a Peabody Museum expedition led by M.R. Harrington and A.C. Parker. Museum records indicate that these unassociated funerary objects were recovered from the Silverheels site. This site is located within the town of Brant, 1.5 miles east of the village of Irving, on the Cattaraugus Indian Reservation, approximately 2.5 miles upstream of Lake Erie on Cattaraugus Creek. The 17 unassociated funerary objects are six sherds, one ceramic jar, five flakes, one pipe stem fragment, one point, two strands of beads, and one iron knife. Other unassociated funerary objects from the site were reported in a Notice of Intent to Repatriate Cultural Items published in the *Federal Register* on October 5, 2001, and have subsequently been transferred to the culturally affiliated Tribes.

These interments most likely date to the early Contact period (A.D. 1500-1700). Museum documentation and consultation information indicate that the unassociated funerary objects were removed from specific burials of Native American individuals.

Historical and geographical information indicate that these cultural items are from areas considered to be the aboriginal homelands and traditional burial grounds of the Haudenosaunee. The present-day Indian Tribes who represent the Haudenosaunee are the Cayuga Nation; Oneida Indian Nation (*previously* listed as Oneida Nation of New York); Oneida Nation (*previously* listed as Oneida Tribe of Indians of Wisconsin); Onondaga Nation; Saint Regis Mohawk Tribe (*previously* listed as St. Regis Band of Mohawk Indians of New York); Seneca Nation of Indians (*previously* listed as Seneca Nation of New York); Seneca-Cayuga Nation (*previously* listed as Seneca-Cayuga Tribe of Oklahoma); Tonawanda Band of Seneca (*previously* listed as

Tonawanda Band of Seneca Indians of New York); and the Tuscarora Nation (hereafter referred to as “The Tribes”).

**Determinations made by the Peabody Museum of Archaeology and Ethnology, Harvard University**

Officials of Peabody Museum of Archaeology and Ethnology, Harvard University have determined that:

- Pursuant to 25 U.S.C. 3001(3)(B), the 17 cultural items described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the unassociated funerary objects and The Tribes.

**Additional Requestors and Disposition**

Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to Patricia Capone, Curator and NAGPRA Director, Peabody Museum of Archaeology and Ethnology, 11 Divinity Avenue, Cambridge, MA 02138, telephone (617) 496-3702, email [pcapone@fas.harvard.edu](mailto:pcapone@fas.harvard.edu), by **[INSERT DATE 30 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER]**.

After that date, if no additional claimants have come forward, transfer of control of the unassociated funerary objects to The Tribes may proceed.

The Peabody Museum of Archaeology and Ethnology, Harvard University is responsible for notifying The Tribes that this notice has been published.

Dated: July 6, 2022.

**Melanie O’Brien,**

*Manager, National NAGPRA Program.*

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